



UNITED STATES BANKRUPTCY COURT  
District of New Jersey

Albert Russo  
CN 4853  
Trenton, NJ 08650  
(609) 587-6888  
Standing Chapter 13 Trustee

Order Filed on February 28, 2019  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

In re:

Brian M Schoener  
Amy N Schoener

Debtor(s)

Case No.: 18-26593 / MBK

Chapter: 13

Hearing Date: February 26, 2019

Judge: Michael B. Kaplan

**CHAPTER 13 STANDING TRUSTEE PRE-CONFIRMATION ORDER OF DISMISSAL**

The relief set forth on the following page is **ORDERED**.

**DATED: February 28, 2019**

A handwritten signature of Michael B. Kaplan in black ink, followed by a horizontal line.  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

The Court having determined that dismissal of this case is appropriate, it is hereby

ORDERED that the debtor's case is dismissed for:

- failure to make all required pre-confirmation payments to the Trustee
- failure to resolve Trustee and/or creditor objection
- Failure to provide proof of homeowners insurance with liability coverage for the Birch property.

and it is further

ORDERED that:

Pursuant to 11 U.S.C. § 349(b), this court for cause retains jurisdiction over any application filed within 14 days of the date of this order by any administrative claimant for funds on hand with the Chapter 13 Standing Trustee.

The Chapter 13 Standing Trustee may pay the balance of the standard attorney fees to the debtor's counsel in the amount of \$2327.50 from available funds on hand received prior to dismissal.

Any funds held by the Chapter 13 Standing Trustee from payments made on account of the debtor's plan shall be disbursed to the debtor, less any applicable trustee fees and commissions, except any adequate protection payments due under the proposed plan, or by Court order.

Any *Order to Employer to Pay the Chapter 13 Trustee* that has been entered in this case is vacated, and the employer is ordered to cease wage withholding immediately.

All outstanding fees due to the Court are due and owing and must be paid within 7 days of the date of this order.

**Certificate of Notice Page 3 of 3**  
**United States Bankruptcy Court**  
**District of New Jersey**

In re:  
 Brian M Schoener  
 Amy N Schoener  
 Debtors

Case No. 18-26593-MBK  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
 Form ID: pdf903

Page 1 of 1  
 Total Noticed: 1

Date Rcvd: Feb 28, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 02, 2019.

db/jdb +Brian M Schoener, Amy N Schoener, 43 Milestone Drive, Ringoes, NJ 08551-2039

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Mar 02, 2019

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 28, 2019 at the address(es) listed below:

Albert Russo docs@russotrustee.com  
 Daniel S. Shehata on behalf of Creditor Birch Hollow Condominium Association, Inc.  
 dshehata@theassociationlawyers.com  
 Denise E. Carlon on behalf of Creditor HomeBridge Financial Services, Inc.  
 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
 Karina Pia Lucid on behalf of Debtor Brian M Schoener klucid@karinalucidlaw.com,  
 R43327@notify.bestcase.com;admin@karinalucidlaw.com  
 Karina Pia Lucid on behalf of Joint Debtor Amy N Schoener klucid@karinalucidlaw.com,  
 R43327@notify.bestcase.com;admin@karinalucidlaw.com  
 Kevin Gordon McDonald on behalf of Creditor HomeBridge Financial Services, Inc.  
 kmcdonald@kmlawgroup.com, bkgroup@kmlawgroup.com  
 Robert P. Saltzman on behalf of Creditor The Provident Bank dnj@pbslaw.org  
 Stuart H. West on behalf of Creditor The Provident Bank swest@pbslaw.org  
 U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9